

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HECTOR E. PINEIRO,
Plaintiff,

v.

GARY GEMME, Worcester Chief of Police, and
CITY OF WORCESTER,
Defendants, and
COMMONWEALTH OF MASSACHUSETTS,
Defendant-Intervenor.

Civil Action No.
10-40262-FDS

STIPULATION OF PARTIAL DISMISSAL

Now come the parties to the above-captioned case, and hereby stipulate, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), that:

(1) Mr. Pineiro has been issued an unrestricted Class A license to carry a firearm for all lawful purposes,

(2) for that reason, all claims that any part G.L. c. 140, § 131, is unconstitutional and all claims seeking forward-looking injunctive or declaratory relief are dismissed without prejudice,

(3) Mr. Pineiro does not agree to dismiss the claims against Chief Gemme and the City of Worcester for compensatory and punitive damages in connection with past actions, and

(4) this stipulation has the effect of dismissing all claims as to which the Commonwealth sought leave to intervene.

HECTOR E. PINEIRO,
by his counsel,

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GARY GEMME, Worcester Chief of Police, and
the CITY OF WORCESTER,
by their counsel,

/s/ Kevin M. Gould
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COMMONWEALTH OF MASSACHUSETTS,
by

MARTHA COAKLEY
ATTORNEY GENERAL OF MASSACHUSETTS

/s/ Kenneth W. Salinger
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February 2, 2012

Certificate of Service

I hereby certify that this document was filed through the Electronic Case Filing (ECF) system and thus copies will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF); paper copies will be sent to those indicated on the NEF as non registered participants on or before February 2, 2012.

/s/ Kenneth W. Salinger